

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

GARY MAYO
1905 Brooks Drive, Apt. 304
Capitol Heights, MD 20743-5508

Plaintiff,

v.

PEST SERVICES COMPANY
3407 Perry Street
Mt. Ranier, MD 20712

and

LANCE WILLIAMS
3812-39TH Street
Brentwood, MD 20722

Defendants.

Civil Action No. _____

NOTICE OF REMOVAL

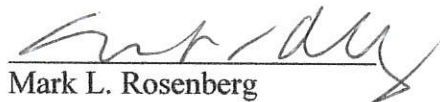
Defendants, Pest Services Company and Lance Williams, by and through their undersigned counsel, do hereby file this Notice of Removal pursuant to Section 1441 of Title 28, United States Code, and say as follows:

- (1) Plaintiff filed an action against Defendants on March 16, 2020 styled Gary Mayo v. Pest Services Company and Lance Williams;
- (2) The case, Civil No. 20-10212, was filed in the Circuit Court for Prince George's County, Maryland;
- (3) Both Defendants were served with a copy of the Complaint (attached hereto as Exhibit A) on or about April 3, 2020;
- (4) Defendant Pest Services Company is a Delaware corporation with its principal headquarters located at 3407 Perry Street, Mt. Ranier, Maryland 20712;

- (5) Defendant Lance Williams is an individual residing at 3812-39th Street, Brentwood, Maryland 20722;
- (6) A full copy of all pleadings received related to the case is attached at Exhibit A hereto;
- (7) The Complaint alleges that Defendants did not pay Plaintiff the overtime wages that he was entitled to for certain periods of time. This overtime claim is clearly a “federal question” in that the eligibility for overtime pay is controlled by The Fair Labor Standards Act of 1938, 29 USC Section 203, and the rules promulgated by the United States Department of Labor in enforcing the Fair Labor Standards Act;
- (8) The Complaint also alleges that the Defendants discriminated against Plaintiff by denying him promotions, bonuses, and pay raises “on the basis of his skin color, race and age.” (See paragraphs 12 and 13 of the Complaint);
- (9) The Complaint specifically recognizes that these allegations are “federal questions”, as it alleges that such discrimination is “in violation of federal, state and Prince George’s County anti-discrimination laws.” (Paragraph 13 of the Complaint);
- (10) A number of federal statutes apply to the discrimination issues alleged by the Complaint, such as Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Civil Rights Act of 1991;
- (11) Such allegations would clearly qualify as “federal questions” as they would be considered under various sections of federal law concerning discrimination in employment.

WHEREFORE, this case is hereby removed to this Court.

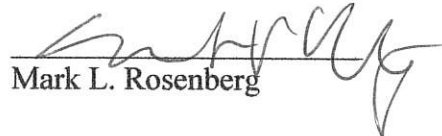
Respectfully submitted,


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AFFIDAVIT OF SERVICE

I hereby certify that I sent a copy of the above Notice of Removal, via electronic mail, and by United States mail, postage prepaid, on this 22nd day of April 2020 to:

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Mark L. Rosenberg